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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

ANTHONY BRADLEY,

Case No. 3:19-cv-00605-MMD-CBC

ORDER

Plaintiff

٧.

NEVADA DEPARTMENT OF CORRECTIONS, et al.,

Defendants

I. DISCUSSION

Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections ("NDOC"), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an application to proceed *in forma pauperis*. (ECF Nos. 4-1, 4).

Plaintiff's application to proceed *in forma pauperis* remains incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed in forma pauperis and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a properly executed financial certificate or an inmate account statement. (See ECF No. 4). As such, the in forma pauperis application is denied without prejudice. The Court will retain Plaintiff's civil rights complaint (ECF No. 4-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted another opportunity to cure the deficiencies of his application to proceed in forma pauperis, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed in forma pauperis he must file a fully complete application to proceed in forma pauperis and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff is again reminded that this case will not be placed in line for screening until he either pays the filing fee or files a fully complete application to proceed in forma pauperis and attaches both an inmate account statement for the past six months and a properly executed financial certificate.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed in forma pauperis (ECF No. 4) is DENIED without prejudice to file a new and <u>fully complete application</u> to proceed in forma pauperis and attach both an inmate account statement for the past six months and a properly executed financial certificate.

IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments, including both an inmate account statement for the past six months and a properly executed financial certificate, in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint (ECF No. 4-1) but will not file it at this time.

DATED: October 23, 2019.

UNITED STATES MAGISTRATE JUDGE